

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
NEWARK DIVISION**

IN RE: PROTON-PUMP INHIBITOR PRODUCTS LIABILITY LITIGATION (NO. II) This Document Relates to: ALL ACTIONS	2:17-md-2789 (CCC)(MF) (MDL 2789) OCTOBER 11, 2017 STATUS CONFERENCE JOINT STATUS REPORT AND AGENDA
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The parties hereby submit their Joint Status Report and Proposed Agenda in advance of the October 11, 2017, MDL Status Conference.

I. STATUS REPORT

Since the last status conference, the parties have met and conferred concerning the Electronically Stored Information ("ESI") and Privilege Log Orders and, thereafter, submitted letters detailing their differences to the Court on September 26, 2017 and October 4, 2017 respectively. Also, the parties are conferring regarding product identification and injury diagnosis records, a Plaintiff Fact Sheet ("PFS"), a Defendant Fact Sheet ("DFS) and associated Enabling Orders, a Direct Filing Order, a Scheduling Order, and the timing and protocol for a Science Day. The parties will continue to meet and confer on these orders and to the extent we still have disagreement, will raise any issues with the Court. Additionally, Plaintiffs have served document production requests and initial 30(b)(6) deposition notices to AstraZeneca's counsel on September 26, 2017 and to counsel for Takeda, Procter & Gamble and Pfizer/Wyeth on October 4, 2017. The parties will meet and confer on these discovery demands.

At the time of this filing, approximately 275 potentially related actions with 285 plaintiffs are pending in federal court. The parties attach a list of these cases as **Exhibit A**.

Currently, approximately 130 potentially related state court actions with 130 plaintiffs are pending in the Delaware Superior Court, New Castle County, before Judge John A. Parkins, and

one related state court action with 28 plaintiffs is pending in the Missouri Circuit Court, Twenty-Second Judicial Circuit (City of St. Louis) before Judge Michael K. Mullen. Further, one related state court action with one plaintiff is pending in the Court of Common Pleas of Philadelphia County, Pennsylvania. There is also a single plaintiff case pending in the 12th Judicial District Court, Avoyelles Parish, Louisiana.

Finally, there is a single plaintiff appellate case pending before the Ninth Circuit Court of Appeals. (*Bekins v. AstraZeneca Pharmaceuticals LP, et al.*, No.16-02732 (S.D. Cal. Mar. 7, 2017), *appeal docketed*, No. 17-55461 (9th Cir. Apr. 5, 2017).

II. AGENDA FOR OCTOBER 11, 2017 STATUS CONFERENCE

The Parties have met and conferred and propose the following Agenda:

- Oral Argument Relating to the Proposed ESI Order;
- Oral Argument Relating to the Proposed Privilege Log Order;
- Status of the Parties' Discussions Regarding (1) Proposed Case Management Order Addressing Production of Product Identification and Injury Diagnosis Records; (2) Plaintiff Fact Sheet, and (3) Defendant Fact Sheet;
- Meet and Confer Schedule for Discovery Demands;
- Status of the Direct Filing Order;
- Scheduling Order;
- Science Day;
- Scheduling of Recurring Status Conferences; and
- Establishing Telephonic Conference Call for Open Court Conferences.

Dated: October 6, 2017

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